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1939.

Collection No.

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Mysore Residency

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Pros. / Serial Nos. 1 – 2

(K)

Subject.

Recognition of Provident Fund of Q. V. O. Madras Sappers & Miners as a Provident Fund under Income Tax Act

Previous References.

421/36 W I+II

Later References.

S. 97.—(Green).

MFP—1663 S&P—(M-2971)—24-6-38—100,000.

D.2538. S.N.1

c.p.1 - 12.

J. (D)

Please see S.N.1 and 2 of F.421-36. The ~~mkdx~~ rules of the Queen's Own Provident Association at S.N.1/c.p.4 have been revised and the principal changes effected, are, as stated by the Income-tax Officer,

(1) the replacement of the Deposit Account by an Additional Subscription Account and

(2) the addition of Rules 11(b) and (c) and 13.

Change (1) does not in any way affect the present constitution of the Association, as in effect it is only a change of name. As regards the newly-incorporated rule 11(b) and (c), 11(b) accords with Rule 4(1)(b) of the Indian Income-tax (Provident Funds Relief) Rules; but ~~rule~~ 11(c) which is in respect of repayment of loans, slightly varies from the corresponding Rule 7 of the said Rules. The new rule 13 of the Association is, of course, the direct outcome of the grant of recognition to the Association and is consistent with Section 58-F(1) of the Indian Income-tax Act.

Page 136 of the Income-tax Manual (put up). (R)

Page 138 of the Manual (put up). (R)

Page 60 of the Manual (put up). (R)

If approved recognition may be granted to the Association under the revised rules. Draft order submitted.

J. L. Nayyar 30.3.39

W 24.3.39

KC 29.3.39.

30/3/39

S.N.2. Issue

F/A.

Secy.

Record

B. Rao

Mr. N.S.V

(1)

No. I.T.GL.118.

OFFICE OF THE INCOME-TAX OFFICER,
CIVIL AND MILITARY STATION, BANGALORE.

Dated 8th March 1939.

FROM

OFFICE OF THE
HON'BLE THE RESIDENT
IN MYSORE, BANGALORE.
W/13 10 MAR. 1939
Diary No. 25-38
File No.
MF

J. N. Rajagopalan, Esq., B.A.,
INCOME-TAX OFFICER, CIVIL AND MILITARY STATION,
BANGALORE.

To

The Commissioner of Income-tax,
Bangalore.

SIR,

Provident Fund- Recognition of

The rules of the Queen's Own Provident Association to which the Commissioner of Income-tax accorded recognition in his Proceedings No.F421-36/ R.O.I dated the 8th October 1936 have been revised and the Commandant, Q.V.O. Madras Sappers & Miners has applied for recognition of the Association under the revised rules. The changes effected are:

(1) The replacement of the Deposit account by ~~the~~ Additional Subscription account

& (2) the addition of Rules 11(b) & (c) and 13.

I have the honour to forward herewith a copy of the revised rules of the Association and to recommend its recognition by the Commissioner under Sec.58-B(1) of the Indian Income-tax Act.

I have the honour to be,
Sir,
Your most obedient servant

J. N. Rajagopalan
Income-tax Officer.

DESPATCHED
-8 MAR. 1939

RSR.

RULES FOR THE QUEEN'S OWN PROVIDENT ASSOCIATION.

Founded by :- Colonel F.J. Anderson, R.E. 1906.
Revised and amended: 1936.

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1. TITLE. The Association shall be called the Queen's Own Provident Association, and shall hereinafter be referred to as "The Association".

2. OBJECT. (a) The object of the Association shall be the relief of the necessities of Families of B.W. & N.C.O'S dying while serving with the Q.V.O. Madras Sappers and Miners.

(b) Also in cases where Provident Members or their Families require Special Medical Treatment, that cannot be supplied by the Military e.g. treatment in a Civil Hospital that involves a special ward accomodation, etc., the Committee are empowered to sanction a grant to cover the extra expense involved.

3. MANAGEMENT OF ACCOUNTS. The funds of the Association shall be kept with the funds of the Corps in a similar manner to all other funds in charge of the Adjutant, and shall be divided under three heads:-

i. Obligatory subscriptions.
ii. Additional subscriptions.
iii. Reserve account.

4. SUBSCRIPTIONS. Monthly subscriptions shall be in two forms

(a) Obligatory subscriptions ... Rs2 per mensem.
(b) Additional Subscriptions ... 10% of members pay.

Once a member has elected to pay an additional subscription, such additional subscription shall remain payable for a minimum of twelve successive payments. Subject to the above provision, additional subscriptions may be discontinued at three months notice.

5. INTEREST.

(a) Interest earned by obligatory subscriptions will be placed to reserve.

(b) Additional subscriptions will earn the full current Corps rate of interest, which interest will be placed to the credit of the members' individual accounts annually in April.

6. REFUND OF SUBSCRIPTIONS.

(a) Obligatory and additional subscriptions, and all interest accrued thereon, will be retained by the Association as long as a member continues to serve with the Q.V.O. Madras Sappers and Miners in any capacity other than Commissioned rank.

(b) These amounts, less the interest earned by obligatory subscriptions, will only be refunded to members under the provisions of Rule 8(d) and (e) below

7. COMMITTEE. The affairs of the Association shall be managed by a Committee of six of whom not less than four (one being an ex-officio member) shall form a quorum for transaction

of business.

The committee shall consist of:-

1. The Commandant
2. The Adjutant

ex-officio.

3. A.W.O. Class I
4. A Qr. Mr.Sergt.
5. A C.S.M.
6. A Sgt. or Corpl.

elected.

One to be elected Honorary Secretary, by the Committee.

In the event of an elected member of the Committee leaving Bangalore the Committee shall have power to fill the vacancy by appointing another member.

The Committee shall meet as necessity arises on the requisition of any two of its members.

8. MEMBERSHIP.

(a) All B.W. & N.C.O's serving with the Q.V.O. Madras Sappers and Miners are entitled to become members.

(b) A B.W. or N.C.O. joining the Association must pay his first monthly subscriptions within six weeks of the date of his first posting to the Corps.

(c) A B.W. or N.C.O who does not join the Association as in sub para (b) above, may join at a subsequent date on payment of such a sum as his subscriptions would have amounted to, had he joined within six weeks of posting to the Corps.

(d) A B.W. Or N.C.O. having once joined the Association must remain a member till he is struck off the strength of the Q.V.O. Madras Sappers and Minders, or is promoted to commissioned rank, On leaving the Corps, or on promotion to commissioned rank OR IN THE EVENT OF Death while serving with the Corps, a member or his next of kin shall receive all his obligatory subscriptions, all his additional subscriptions andany interest earned by his additional subscriptions. No subscriptions or interest may be withdrawn by a member before he leaves the Corps or is promoted to commissioned rank.

(e) A member who fails to pay his monthly subscription will be suspended. Subscriptions and any interest earned will remain to the credit of a suspended member and will continue to earn interest, but no sum will be paid out til the member leaves the Corps or is promoted to commissioned rank.

(f) A suspended member shall forfeit all claims to any benefits, should he die while suspended.

(g) A suspended member may be re-instated on payment of all arrears of subscriptions, and subject to the approval of a special general meeting.

(h) A member proceeding on leave or furlough shall pay in advance all subscriptions that will fall due during the period of leave or furlough.

9. BENEFITS. On the death of a member the following benefits shall be paid:-

12 DUTIES OF THE HONRARY TREASURER AND SECRETARY.

The Honorary Treasurer shall receive all subscriptions additional subscriptions, and interest and shall be accountable for the same as well as for any cash or bank balances.

He will submit his accounts supported by vouchers to the Committee whenever it meets and to the Annual General Meeting.

The Honorary Secretary will conduct all necessary correspondence and be responsible for recording the minutes of all meetings of the Committee and of the Association.

13. INCOME TAX. The Association has received the recognition of the Commissioner of Income-tax, Civil and Military Station, Bangalore, and under the authority of his No....
.....
all obligatory and additional subscriptions paid into the funds of the Association are exempt from income-tax.

(a) If a widower with one or more children, each surviving child shall ve entitled to Rs500 provided that the sum so drawn does not exceed Rs1,500 in all.

(b) If leaving a widow and child or children, The widow shall receive Rs800 for herself, and Rs200 for each surviving child provided that the sum so drawn does not exceed Rs1,600 in all.

(c) If a Bachelor, such bonus (if any) as a special General Meeting may think fit to award to his next of kin.

Notes:-

(i) A child is to mean a boy upto 16 years and a girl upto 18 years of age.

(ii) The Committee may add, at their discretion such bonus as the state of funds may warrant, and when deciding the question of benefits they should not be influenced by the amount due in respectof subscriptions and deposits.

iii) It shall rest with the Committee to decide whether the above payments shall be made in one lump sum or by instalments.

10. GENERAL MEETINGS. A general meeting will be held annually in June to pass the accounts and consider the affairs of the Association and select a Committee for the ensuing year. The funds of the Association are attachabl (vide District Judge 1993 of 1-10-1909 to Commandant Q.V.O. Madras Sappers and Miners.)

11. LOANS.

(a) Members may be granted loans from the funds of the Association upto the amount of obligatory and additional subscriptions standing to their credit, subject to a maximum loan of Rs500-0-0.

(b) Loans may be granted to members before they proceed on leave or furlough to the United Kingdom, or during the course of any such leave or furlough.

(c) The repayment of loans may remain in abeyance whilst a member is on leave or furlough in the United Kingdom, but will be resumed again immediately such a member returns to duty.

In such cases the member concerned will be liable for interest at the current Corps rate, on the amount outstanding, for the period during which repayments were in abeyance.

(d) A member whose credit is less than Rs100 may be granted a loan upto that amount.

(e) Repayments will be made at the rate of 10% of the loan per mensem, but loans may be repaid more rapidly if desired. Interest will be charged at the rateof Rs3 per Rs100 borrowed irrespective of the time the loan remains outstanding.

(f) All loans require the sanction of the Commandant and not less than four members of the Committee. No new loans will be granted till any previous loan has been completely repaid.

Issued Copy please
AC
30/8/39.

(For precedent please see S.N.2 of F.421-36.)

Issued
ICK
30/8/39.

S.N.1
c.p.1
P.U.C.

Vide Rule 3(b)
Page 141 of the Income-tax Manual (put up)

S N 2

Proceedings of the Commissioner of Income-tax, Civil and Military Station, Bangalore.

R.Dis.No. 195/ F. ~~421~~ 39 Judl. 30th March 39.

Read:-

Letter from the Income-tax Officer, Civil and Military Station, Bangalore, No.I.T.GL.118, dated the 9th March 1939.

ORDER.

In exercise of the powers conferred by Section 58-B(1) of the Indian Income-tax Act, XI of 1922, as applied to the Civil and Military Station, Bangalore, the Commissioner of Income-tax, Civil and Military Station, Bangalore is pleased to accord recognition to the "Queen's Own" Provident Association, Q.V.O. Madras Sappers and Miners, Bangalore, with effect from the 31st March 1939.

(Sd.) H. Trevelyan.
Commissioner of Income-tax.

To

The Commandant,
Q.V.O.Madras Sappers and
Miners, Bangalore,

Through

The Income-tax Officer,
Civil and Military Station,
Bangalore.

24.3.39 AC 29.3.39